

CR 06 0067

MJL:ALB
F. # 2005R00570

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ FEB 01 2006 ★

UNITED STATES OF AMERICA

I N D I C T M E N T

LONG ISLAND OFFICE

- against -

JEFFREY FRANCOIS,
also known as "jefff@KaZaA,"

Defendant.

Cr. No. _____
(T. 18, U.S.C., §§
2252A(a)(1)
2252A(a)(2)(A),
2252A(a)(5)(B),
2252A(b)(1), 2252A(b)(2),
2253 and 3551 et
seq.)

FEUERSTEIN, S

THE GRAND JURY CHARGES:

COUNT ONE

(Transportation of Child Pornography)

1. On or about March 21, 2005, within the Eastern District of New York and elsewhere, the defendant JEFFREY FRANCOIS, also known as "jefff@KaZaA," did knowingly and intentionally mail, transport and ship in interstate and foreign commerce, by means of computer, child pornography, to wit: the images contained within the electronic file "Pedo-BabyJ-Long.mpg."

(Title 18, United States Code, Sections 2252A(a)(1), 2252A(b)(1) and 3551 et seq.)

COUNTS TWO THROUGH SIX

(Receipt of Child Pornography)

2. On or about the dates set forth below, within the Eastern District of New York and elsewhere, the defendant JEFFREY

FRANCOIS, also known as "jefff@KaZaA," did knowingly and intentionally receive child pornography, to wit: the images depicted in the following computer files:

<u>COUNT</u>	<u>FILENAME</u>	<u>DATE</u>
TWO	"pedo new pthc.wmv"	June 25, 2005
THREE	"PTHC Kiddy (6-8) collection pedo.mpg"	June 24, 2005
FOUR	"cp2.wmv"	May 2, 2005
FIVE	"PTHC PORN (11).avi"	February 6, 2005
SIX	"BabyJ-Long.mpg"	January 3, 2004

which images had been transported in interstate and foreign commerce by computer.

(Title 18, United States Code, Sections 2252A(a)(2)(A), 2252A(b)(1) and 3551 et seq.)

COUNTS SEVEN THROUGH SIXTEEN
(Possession of Child Pornography)

3. On or about August 30, 2005, within the Eastern District of New York and elsewhere, the defendant JEFFREY FRANCOIS, also known as "jefff@KaZaA," did knowingly and intentionally possess materials containing images of child pornography, to wit: the images depicted in the following computer files:

<u>COUNT</u>	<u>FILENAME</u>
SEVEN	"pedo new pthc.wmv"
EIGHT	"BabyJ-Long.mpg"
NINE	"PTHC Kiddy (6-8) collection pedo.mpg"

<u>COUNT</u>	<u>FILENAME</u>
TEN	"PTHC PORN (11).avi"
ELEVEN	"Incesto Pedo man, boy and young girl.mpg"
TWELVE	"Childlover_little_Collection_Video_0001 (1).avi"
THIRTEEN	"Pedo 8yr Brazilian girl.mpg"
FOURTEEN	"1 (1).mpg"
FIFTEEN	"25 pedo (1).mpg"
SIXTEEN	"Natasha 10 yrs.mpg"

which images had been transported in interstate and foreign commerce by computer.

(Title 18, United States Code, Sections 2252A(a)(5)(B), 2252A(b)(2) and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION

4. The United States hereby gives notice to the defendant charged in Counts One through Sixteen that, upon his conviction of any such offense, the government will seek forfeiture in accordance with Title 18, United States Code, Section 2253, of (a) any visual depiction described in Section 2251, 2251A, 2252, 2252A or 2260 of Title 18, United States Code, and any book, magazine, periodical, film, videotape, and other matter produced, transported, mailed, shipped and received in violation of the offenses of conviction; (b) any property, real and personal, constituting or traceable to gross profits and other proceeds obtained from such offenses; and (c) any property,

real and personal, used or intended to be used to commit or to promote the commission of the offenses of conviction, including, but not limited to One Gateway computer, serial number 1098498765.

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third party;

(c) has been placed beyond the jurisdiction of the court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 2253(o), to seek forfeiture of any

other property of such defendant up to the value of the
forfeitable property described in this forfeiture allegation.

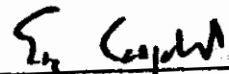
(Title 18, United States Code, Section 2253)

A TRUE BILL



FOREPERSON

ROSLYNN R. MAUSKOPF
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

BY: 

ACTING UNITED STATES ATTORNEY
PURSUANT TO 28 C.F.R. 0.136

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

JEFFREY FRANCOIS, a/k/a "jeff@KaZaA,"

Defendant.

INDICTMENT

T. 18, U.S.C., §§ 2252A (a) (1), 2252A (a) (2)(A), 2252A (a) (5) (B),
2252A (b) (1), 2252A (b) (2), 2253 and 3551 et seq.

A true bill.

Foreman

Filed in open court this 1 *day,*

of February *A.D. 19* 20

Clerk

Bail, \$

ALLEN BODE, AUSA, (631) 715-7828